



Order Filed on April 11, 2018
by Clerk, U.S. Bankruptcy
Court - District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY (NEWARK)

Caption in Compliance with D.N.J. LBR 9004-1
2018-0268

Powers Kirn, LLC
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William M. E. Powers III
Angela C. Pattison
728 Marne Highway, Suite 200
Moorestown, NJ 08057
(856) 802-1000
Attorney for U.S. Bank National Association, as
Trustee for MASTR Asset Backed Securities Trust
2006-HE1, Mortgage Pass-Through Certificates, Series
2006-HE1

In Re:

Rosalinda Warner

Case No.: 18-12306-SLM

Chapter: 13

Hearing Date: March 28, 2018

Judge: Honorable Stacey L. Meisel

Recommended Local Form: ☐ Followed ☒ Modified

**ORDER VACATING STAY AND ALLOWING PROSPECTIVE
IN REM RELIEF AS TO REAL PROPERTY**

The relief set forth on the following page is hereby **ORDERED**.

DATED: April 11, 2018

A handwritten signature in cursive script, reading "Stacey L. Meisel", is written over a horizontal line.
Honorable Stacey L. Meisel
United States Bankruptcy Judge

Upon the cross-motion of Powers Kim, LLC, Attorneys for Wells Fargo Bank, N.A. (“Wells Fargo”) as servicing agent for U.S. Bank National Association, as Trustee for MASTR Asset Backed Securities Trust 2006-HE1, Mortgage Pass-Through Certificates, Series 2006-HE1 debtor(s)’ mortgagee, under Bankruptcy Code Section 362(d) and 105(a) for relief from the automatic stay and prospective in rem relief as to certain property as hereinafter set forth, and for cause, it is

ORDERED that the automatic stay of 11 U.S.C. §362(a) is hereby vacated to permit the cross-movant to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the cross-movant's rights in the following:

☒ Real property more fully described as 1305 Boca Lago Drive, Valparaiso, IN 46383.

It is further ORDERED that the cross-movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject mortgage and pursue its state court remedies including, but not limited to, taking the property to sheriff’s sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu of foreclosure. Additionally, any purchaser of the property at sheriff’s sale (or purchaser’s assignee) may take any legal action for enforcement of its right to possession of the property.

It is further ORDERED that the cross-movant, its successors and assigns are granted in rem relief as to the subject property, 1305 Boca Lago Drive, Valparaiso, IN 46383, and may proceed without further Order of this Court in the event of any bankruptcy filed subsequent to the commencement of the instant case.

☐ Personal property more fully described as:

It is further ORDERED that the cross-movant may join the debtor and any trustee appointed in this case as defendants in action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

The cross-movant shall serve this order on the debtor, and any trustee and any other party who entered an appearance on the motion.

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
District of New Jersey

In re:
Rosalinda Warner
Debtor

Case No. 18-12306-SLM
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Apr 11, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 13, 2018.

db +Rosalinda Warner, 19 Orchard Drive, Clifton, NJ 07012-2114

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 13, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 11, 2018 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor FV-1, Inc. in trust for Morgan Stanley Mortgage
Capital Holdings LLC dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com

Marie-Ann Greenberg magecf@magtrustee.com

Rebecca Ann Solarz on behalf of Creditor FV-1, Inc. in trust for Morgan Stanley Mortgage
Capital Holdings LLC rsolarz@kmlawgroup.com

Stuart D. Gavzy on behalf of Debtor Rosalinda Warner stuart@gavzyllaw.com,
lesliebrown.paralegal@gmail.com, gavzyecf@gmail.com, stuart@ecf.courtdrive.com

U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

William M.E. Powers on behalf of Creditor U.S. Bank National Association, as Trustee for
MASTR Asset Backed Securities Trust 2006-HE1, Mortgage Pass-Through Certificates, Series
2006-HE1 ecf@powerskirn.com

William M.E. Powers, III on behalf of Creditor U.S. Bank National Association, as Trustee for
MASTR Asset Backed Securities Trust 2006-HE1, Mortgage Pass-Through Certificates, Series
2006-HE1 ecf@powerskirn.com

TOTAL: 7